

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Polly O.,

File No. 20-cv-1820 (ECT/ECW)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Kilolo Kijakazi, *Acting Commissioner of
Social Security*,

Defendant.

Magistrate Judge Elizabeth Cowan Wright issued a Report and Recommendation on December 16, 2021. ECF No. 20. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 20] is **ACCEPTED**; and
2. Plaintiff Polly O.'s Motion for Summary Judgment [ECF No. 15] is **GRANTED** in part;
3. Defendant Acting Commissioner of Social Security Kilolo Kijakazi's Motion for Summary Judgment [ECF No. 17] is **DENIED**;
4. The case is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings consistent with the Report and Recommendation [ECF No. 20]; and

5. The case is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 6, 2022

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court